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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/657,216	09/07/2000	Jean-Paul Chollon	END9-2000-0105US1	1339

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EXAMINER

O CONNOR, GERALD J

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 09/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/657,216

Applicant(s)

Chollon et al.

Examiner

O'Connor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 30, 2003 (Amdt "B")
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 14-23 is/are pending in the application.
- 4a) Of the above, claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 14-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on June 25, 2002 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Preliminary Remarks

1. This Office action has been prepared in response to the amendment and arguments filed by applicant on June 30, 2003 (Paper N^o 9), in response to the prior Office action.
2. The amendment of claims 1, 14, and 15 by applicant in Paper N^o 9 is hereby acknowledged.
3. The addition of claims 16-23 by applicant in Paper N^o 9 is hereby acknowledged.

Response to Amendment

4. The amendment filed June 30, 2003 (Paper N^o 9) is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: that there exists an “interface with an external ledger system,” and that the invention includes the method step of “opening” the interface with the external ledger system.

Applicant is required to cancel the new matter in the reply to this Office action.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 and 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner et al. (US 5,758,327).

Gardner et al. disclose a method for creating a valid chart of accounts from which an administrator can facilitate and enable a requisitioner to select a valid account, comprising the steps of pushing 36 from an enterprise system 12 a chart of accounts to a requisition catalog system database 10, it being inherent that the chart of accounts would be built by opening an interface to an external enterprise ledger system, selecting from the requisition catalog system database 10 valid accounts with descriptions for a given commodity (see, in particular, column 5, line 57, to column 6, line 13), and then pushing 50 a selected account/description tuple to company 12 commodity groups for use in a requisition creation process (see, in particular, column 6, lines 64-67), but Gardner et al. do not specifically disclose that the chart of accounts includes descriptions, nor that the valid accounts have a limited purchase period.

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However, descriptions and valid periods (such as a name of the account and a particular valid fiscal year) for accounts are well known, hence obvious, elements to include in any system of requisitioning accounting.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Gardner et al., so as to include account descriptions and periods, as is well known to do, in order to facilitate selection of the proper account to which to charge a particular requisition, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Regarding claims 2, 16, and 18, the method of Gardner et al. includes the requisitioner 18 searching 40 against commodities and catalogs 24, 26, 28 in commodity description documents and, responsive thereto, creating one or more line items (see col. 5, line 61, to col. 6, line 13).

Regarding claims 3, 17, and 19-23, the method of Gardner et al. includes the requisitioner initiating a proceed to accounting process which displays lines item(s) selected by the requisitioner and an agent created financial worksheet (see, in particular, column 6, line 27, to column 9, line 56). Gardner et al. also disclose the use of commodity codes (see, in particular, column 5, lines 57-61), but do not specifically disclose the recited details of the descriptions of each commodity code. However, the recited elements of the commodity code descriptions are all well known, hence obvious, elements to use in any commodity code descriptions. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have further modified the method of Gardner et al., if required, so as to include the particular non-functional descriptive material recited

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by the claim, in order to describe each particular commodity code in detail so as to facilitate selection of the proper commodity code, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Response to Arguments

7. Applicant's arguments filed June 30, 2003 have been fully considered but are not persuasive.

8. Regarding the argument that the instant invention requires that an interface with an external ledger system be provided in order to enable an administrator to derive an appropriate chart of accounts for a particular company, Gardner et al. obviously provide such an accommodation as well, for without it their disclosed invention would be unable to operate as disclosed. That is, no appropriate computerized chart of accounts could be derived that would correspond to the ledger system of an enterprise without providing an interface that would allow that external information to be input into the computer.

9. Regarding the argument that applicants' method does not require a catalog from which to order, therefore the claims recite a method for getting accurate accounting information to the ledger system without associating it to a catalog item, the method of Gardner et al. does not require a catalog either (see, in particular, column 3, lines 2-3), therefore the method of Gardner et al. is also able to get accurate accounting information to the ledger system without associating it to a catalog item.

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10. In response to applicant's argument that with applicants' method it becomes virtually impossible for the user to input invalid accounting information, even with the user knowing nothing about how the accounts are used or set up, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to the disclosure.

12. Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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13. Any inquiry concerning this communication, or earlier communications, should be directed to the examiner, **Jerry O'Connor**, whose telephone number is **(703) 305-1525**, and whose facsimile number is **(703) 746-3976**.

The examiner can normally be reached weekdays from 9:30 to 6:00.

Inquiries of a general nature or simply relating to the status of the application should be directed to the receptionist, whose telephone number is **(703) 308-1113**.


If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Mr. Robert Olszewski, can be reached at **(703) 308-5183**.

Official replies to this Office action may be submitted by any *one* of mail, fax, or hand delivery, *fax being preferred*. Mailed replies should be addressed to "Commissioner of Patents and Trademarks, Washington, DC 20231." **Faxed replies can be directed to (703) 872-9306** (fax-back auto-reply receipt service provided). Hand delivered replies should be left with the receptionist on the seventh floor of Crystal Park Five, 2451 Crystal Dr, Arlington, VA 22202.

GJOC



September 17, 2003

 9/22/03
ROBERT P. OLSZEWSKI
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